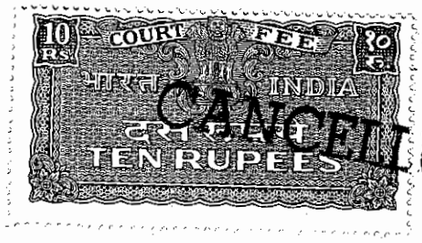

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR,(C.G.)

Miscellaneous Appeal No. 627 /2003 Division Bench

APPLICANTS:
CLAIMANTS

1) Smt. Sulabha,W/o.Kailesh Chandra Asthana Aged about 45 yrs.
2) Mukul S/o. Kailesh Chandra Asthana Aged about 17 years.
3) Ku Puja D/o Kailesh Chandra Asthana Aged about 15 yrs.
4) Sahaja S/o Kailesh Chandra Asthana Aged about 13 years,Appellants nos.2,3&4 are represented hereby appellant no.1 mother Smt. Sulabha, All R/o.House no.N-15,Sector-1,Avanti Vihar,Raipur, Tahsil & Districrt-Raipur (CG)

P. R. No. 1456/03
Presented by Shri S.C.Verma
dated 26.6.03

VERSUS

RESPONDENTS : NON-APPLICANTS

1) Sheikh Alimuddin,S/o.@ Kannu, S/o Sheikh Karimuddin,Present address-in front of Majar Gali,Maudahapara,P.S-Maudahapara,Disst-Raipur C.G.
2) M.R.Karimuddin,R/o Paikmata,P.O and P.S.-Sihawa,Disst-Dhamatari C.G.
3) The New India India Insurance Co. Ltd., Through Divisional Manager, Divisional office, Jail Road, Raipur C.G.

Miscellaneous Appeal under section 173 OF Motor Vehicles Act 1988

XI-HC-22

(22)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक MA...627/03 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DIVISION BENCH:

HON'BLE SHRI A.K. PATNAIK, CJ
& HON'BLE SHRI FAKHRUDDIN, J.

16/03/2005:-

This is an appeal filed by the claimants/appellants against the judgment and award dated 26.02.2003 passed by the Chief Motor Accident Claims Tribunal, Raipur in Claim Case No.22 of 2002.

During the pendency of the appeal, the matter was compromised by the parties on 17/08/2004 and as per the said compromise, respondent No.3/The New India Assurance Company Limited is to pay a sum of Rs.1,00,000/- (Rupees one lakh only) in addition to the award amount of Rs.3,70,000/- (Rupees three lakhs seventy thousand only) awarded under the impugned award and judgment of the Tribunal, to the claimants / appellants. A memo has been filed by claimant/appellant No.1 certifying therein that the aforesaid compromise has been made in the interest of the minor claimants / appellants No.2, 3 and 4 also.

The appeal is disposed of in terms of the aforesaid compromise. Let an amount of Rs.1,00,000/- (Rupees one lakh only) be paid by respondent No.3/The New India Assurance Company Limited, to the claimants / appellants within one month from today. The impugned award and judgment stands modified accordingly.

Sd/-
Chief Justice

Sd/-
Fakhruddin
Judge

BM

18305 14/4